

## CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Stacy Frigerio	Team: Team # 2	CCRB Case #: 201115571	<input type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Friday, 11/25/2011 11:00 PM	Location of Incident: Jerome Avenue and Burnside Avenue (Chase bank)	Precinct: 46	18 Mo. SOL 5/25/2013	EO SOL 5/25/2013	
Date/Time CV Reported Fri, 12/02/2011 7:20 PM	CV Reported At: CCRB	How CV Reported: Call Processing System	Date/Time Received at CCRB Fri, 12/02/2011 7:20 PM		

Complainant/Victim	Type	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. POM Anthony Donato	07509	948904	PBBX
2. An officer			

Officer(s)	Allegation	Investigator Recommendation
A.POM Anthony Donato	Discourtesy: PO Anthony Donato spoke obscenely and/or rudely to § 87(2)(b) and § 87(2)(b)	
B. An officer	Discourtesy: An officer spoke obscenely and/or rudely to § 87(2)(b) and § 87(2)(b)	

### Case Summary

On December 2, 2011, § 87(2)(b) filed this complaint on behalf of himself and his cousin, § 87(2)(b) via the CCRB's call processing system. On November 25, 2011, at approximately 11:00 p.m., § 87(2)(b) and § 87(2)(b) were inside a Chase bank in the vicinity of Jerome Avenue and Burnside Avenue in the Bronx when PO Anthony Donato entered with another officer and stated that they had observed a transaction. Both men were arrested and were frisked and searched incident to their arrest. § 87(2)(b) asked PO Donato if he wanted his ID and he responded, "If I wanted your fucking ID I would of asked you for it" (**Allegation A**). The officers asked them to exit the bank and they complied. There was a third officer outside. PO Donato told § 87(2)(b) and § 87(2)(b) to give him their "fucking IDs" (**within Allegation A**). Their IDs revealed that both men had open bench warrants. PO2 stated, "You're fucking coming with us" (**Allegation B**). § 87(2)(b) identified PO Donato by name when he filed the complaint, therefore Allegation A has been pleaded against him. § 87(2)(b), § 87(2)(g)

§ 87(2)(b), § 87(2)(g)

§ 87(2)(b), § 87(2)(g)

On December 6, 2011, § 87(2)(b) was called and a voice message was left. On December 27, 2011, § 87(2)(b) was called and a voice message was left. On the same date, § 87(2)(b) called the CCRB and provided a telephone statement. § 87(2)(b) scheduled an appointment for himself and § 87(2)(b) for January 4, 2012. On January 4, 2012, § 87(2)(b) and § 87(2)(b) missed their appointment without calling ahead to cancel or reschedule. On January 11, 2012, § 87(2)(b) was called. There was no answer and no answering machine. Two letters were mailed to § 87(2)(b) on January 26, 2012 and on January 31, 2012. Neither letter was returned to the CCRB by USPS. On February 2, 2012, § 87(2)(b) called the CCRB and scheduled a second appointment for himself and § 87(2)(b) for February 8, 2012. On February 8, 2012, § 87(2)(b) and § 87(2)(b) missed their second appointment and did not call ahead to cancel or reschedule.

On December 6, 2011, § 87(2)(b) was called and provided a telephone statement. He stated that he wanted to speak to § 87(2)(b) before scheduling a CCRB appointment and would call the CCRB. On December 8, 2011, § 87(2)(b) was called and scheduled an appointment for himself and § 87(2)(b) for December 14, 2011. On December 14, 2011, the appointment was cancelled. On December 27, 2011, January 11, 2012, and February 10, 2012, § 87(2)(b) was called. He stated that he wanted to pursue the complaint but wanted to speak with § 87(2)(b) before scheduling another appointment. Two letters were mailed to § 87(2)(b) on January 26, 2012 and January 31, 2012. Neither letter was returned to the CCRB by USPS.

§ 87(2)(b), § 87(2)(g)

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Team: 2

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Investigator: \_\_\_\_\_  
Signature Print Date

Supervisor: \_\_\_\_\_  
Title/Signature                      Print                      Date

Reviewer: \_\_\_\_\_  
Title/Signature                      Print                      Date

Reviewer: \_\_\_\_\_  
Title/Signature                      Print                      Date